REMARKS

Reconsideration and allowance of the subject application in view of the foregoing amendments and following remarks is respectfully requested.

Claims 1-25 and 27 are pending. The independent claims and several dependent claims have been amended to better define the claimed invention. The amended claims find support in the application as filed, e.g., FIG. 6, and the corresponding text in the specification. No new matter has been introduced through the foregoing amendments.

Claims 22-25 and 27 are directed to statutory subject matter under 35 USC 101

Claims 22, 25 and 27

The rejection of claims 22, 25 and 27 as being directed to non-statutory subject matter is hereby traversed and believed overcome in view of the foregoing amendments to the specification.

Withdrawal of the rejection is respectfully requested.

Claims 23, 24

The rejection of claim 23 as being directed to non-statutory subject matter is hereby traversed and believed overcome in view of the foregoing amendments to claim 23.

Withdrawal of the rejection is respectfully requested.

Claims 1-16, 21, 22, 25 and 27 are patentable over _Bates_ in view of _Saboff_ and _Hunter_, and claims 17-20, 23, and 24 are patentable over _Bates_ in view of _Saboff_

The _35 U.S.C. 103(a)_ rejections of claims 1-16, 21, 22, 25 and 27 as being unpatentable over _Bates_ in view of _Saboff_ and _Hunter_, the _35 U.S.C. 103(a)_ rejections of claims 17-20, 23, and 24 as being unpatentable over _Bates_ in view of _Saboff_ are traversed for at least the reasons presented in the previous Amendment paper,

notwithstanding the Examiner's response to Applicants' arguments. Applicants' previous arguments are incorporated by reference herein.

Solely for the purpose of expediting prosecution, Applicants have amended the independent claims to further highlight distinctions between the claimed invention and the applied art of record. In particular, all independent claims now recite, using various claim language, that the call to the clone is provided regardless of whether a function body of the clone exists or not. The added claim feature finds solid support in at least FIG. 6 and the corresponding text in the specification, where it is disclosed that the call to the clone is created (e.g., boxes 604-612) even though a body of the clone may not exist (e.g., the branch from 620-632).

In other words, in the claimed invention, (i) the call to a clone and (ii) the clone body may be created independently of one another. Embodiments implementing this claimed arrangement are advantageous in that libraries (which are usually provided by separate vendors and include clone bodies) can be updated/fixed/optimized independently of the main programs (which are usually provided by application developers and include clone calls). The embodiments of the claimed invention allow calls to the clones to be generated in the main programs without having to verifying whether respective clone bodies are provided in the libraries or not. If such clone bodies have not been yet provided by the library providers, the main programs may still use the original function bodies without interruption. Similarly, the library providers can provide optimized/corrected/updated versions of the clones without having to verify whether they are needed by the main programs or not.

None of the applied references appear to fairly teach or suggest the above claim feature and advantages.

For example, *Bates*, in the portion cited by the Examiner, i.e., column 11 lines 20-23, discloses the generation of the clone body (i.e., "clone routine") rather than a call to the clone. The reference also fails to teach or suggest elsewhere that a call to the clone can be provided regardless of whether a function body of the clone exists or not, unlike the claimed invention.

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Saboff, as applied by the Examiner, seems to disclose that the clone call (e.g., 54 in FIG. 3) should be linked (62 in FIG. 3) to the clone body (58 in FIG. 3) for the optimization process to work properly. Without the clone body (58), there is no need to create a call to the clone. Similar disclosures can be found in the *Saboff* FIGs. 17-18 (call 600 is linked at 2, 3 to body 604). Thus, the reference, as applied by the Examiner, does not appear to fairly teach or suggest the added claim feature.

Hunter is the most remote art among the applied references. The reference is related to selecting one of several code sequences (function bodies) to be executed depending on the computer platforms/versions. *See* column 2 lines 23-48. Thus, any call to the "clone" must be linked to the code sequences (bodies). There is no teaching or suggestion in *Hunter* to create a call regardless of the existence of a function body (sequence code) as presently claimed.

Accordingly, Applicants respectfully submit that the amended independent claims are patentable over the art.

The dependent claims are considered patentable at least for the reasons advanced with respect to the respective independent claims.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the present application should be in condition for allowance and a Notice to that effect is earnestly solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 08-2025 and please credit any excess fees to such deposit account.

Respectfully submitted,

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